

File No. 6712 Continued.

CRIMINAL.

4889

On the other hand, it can be forcibly argued that Sec. 11 does not say "two or more daily English newspapers", but "two or more daily papers", and that, whatever may be the public policy of other communities, the policy of ours, of which the Legislature must be assumed to be cognizant, as shown by the ordinance above mentioned, is to recognize publication in German papers.

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So the question, as you will see, is a close one, and it is merely from indisposition to have the City take unnecessarily any substantial risk that I advise publication in this case in two English papers only, if the publication is limited to two papers.

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There is a City case now pending, which will probably reach the Court of Appeals this fall, in which very much the same, though not quite the same, question is involved; but this case may not be decisive of the exact point submitted to you.

Truly yours,

(Signed) W. Cabell Bruce,

City Solicitor.

File No. 6712.

CORRESPONDENCY.

OFFICE OF THE
COMMISSIONERS FOR OPENING STREETS
HOEN BUILDING.

Baltimore, November 18, 1907.

Hon. W. Cabell Bruce,
City Solicitor.

Dear Sir:-

4892

We are undecided as to what course to pursue in regard to the contracts let for the paving, owing to the recent decision of the Court of Appeals in the paving question.

We let the contract on September 13, 1907, for the paving of Wilkeson avenue to Wm. H. Elder and who has already bonded, and on November 13, 1907, we let the contract for the paving of one square on 28th street from Calvert street to St. Paul street to F.E. Schneider & Co. who have not as yet bonded. If the decision of the Court of Appeals,